

### **REMARKS**

Reconsideration of the above referenced application in view of the enclosed amendments and remarks is requested. Claim 5 has been amended. Claims 1-19 remain in the application.

Claim 5 is rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as their invention. Specifically, the Examiner objects to the term “descriptive” in claim 5 as being a relative term. Claim 5 has been amended to more particularly recite the invention as being wherein the shared process is defined by extended markup language (XML). Claim 5’s limitation is now definite and must be withdrawn.

### **ARGUMENT**

Claims 1-19 are rejected under 35 USC 102(e) as being anticipated by Walker, et al. (US 6,477,513) (hereinafter Walker).

Independent claims 1, 7, and 10 all recite the limitation “without relying on a trusted third party to provide a common rooted key hierarchy.” (emphasis added). The Office action cites Walker as disclosing all claims. However, it is very clear from Walker that Walker’s system is premised on the integral use of a trusted third party. Please see Walker at Figure 1 (Trusted Agent 118), Figure 2 (Trusted Agent 218), Figure 3 (Trusted Agent 318), Figure 13, Figure 14, Figure 17, Figure 18, col. 5, lines 40-55, col. 6, lines 54-68, col. 9, lines 25-50, col. 10, lines 10-15, col. 11, lines 10-25. *Compare Walker’s Figure 1 to Figure 1 of the present invention.*

Walker teaches away from the present invention because Walker teaches that a trusted agent is required to make Walker’s electronic contract system work. In marked contrast, the Applicants invented an electronic contract where no trusted agent is necessary (this “middle-man” has been eliminated). This advance in the state of the art is clearly recited as a limitation in the independent claims. But

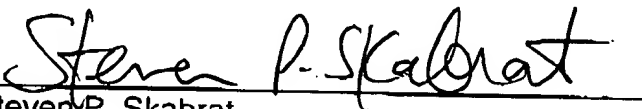
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Walker does not teach or suggest this claim limitation, and in fact, teaches the opposite. Therefore, independent claims 1, 7, and 10 are allowable as presented. Accordingly, all claims dependent therefrom are also allowable.

### CONCLUSION

In view of the foregoing, Claims 1-19 are all in condition for allowance. If the Examiner has any questions, the Examiner is invited to contact the undersigned at (503) 264-8074. Early issuance of Notice of Allowance is respectfully requested.

Respectfully submitted,

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